

## **REMARKS/ARGUMENTS**

In this amendment, the paragraphs beginning at page 5, line 5, at page 12, line 2, and at page 49, line 1 have been amended to correct typographical errors in the structure shown; handwritten amendments to the structure are shown in the Appendix.

Claims 1-33 remain in this application. Claims 1, 5, 9, 12, 15, 18, 26, and 31 are currently amended to replace the reference to "Compound 15" with "the synthetic polymeric antigen or pharmaceutically acceptable salt thereof of claim 31". Support for this amendment can be found at pages 12 and 49, as well as in claim 31. Claims 11, 14 and 21 have been amended to recite more proper Markush language, and support for these amendments can be found throughout the application, including in claims 11, 14 and 21 as filed, and as previously set forth in support of prior amendments to those claims. Claim 31 has been amended to correct a typographical error in the structure; handwritten amendments to the structure are shown in the Appendix. No new matter is added.

### **Request for Telephonic Interview Prior to First Action**

In accordance with MPEP Sections 706.07(b) and 713.01 and 713.02 and 37 CFR 1.133(a)(2), Applicant hereby requests an interview prior to any subsequent Office Action. As this is a continuing application, such an interview is proper. The undersigned may be reached at 858-228-7829.

### **Amendments to the specification**

Page 5 has been amended to correct a typographical error in the structure shown in the paragraph beginning at line 5. Handwritten amendments to the structure are shown in the Appendix. Applicant submits that in submitting the preliminary amendment, a typographical error relating to the position of the square bracket was inadvertently inserted into the structure. Additionally, the positioning of the square brackets in the structures shown on pages 12 and 49 has also been corrected, for consistency. It is submitted that a person of skill in the art would readily identify the error, and would understand the proper positioning of the bracket. Applicant submits that no new matter is added by this amendment.

### **Claim Amendments**

Applicant has amended claims 1, 5, 9, 12, 15, 18, 26, and 31 to replace the reference to "Compound 15" with "the synthetic polymeric antigen or pharmaceutically acceptable salt thereof of claim 31". Support for this amendment can be found at pages 12 and 49, where the structure of Compound 15 is shown; and in claim 31, where the compound (Compound 15) is explicitly claimed by its structure.

Claim 31 has also been amended to correct a typographical error in the structure. Handwritten amendments to the structure are shown in the Appendix. Applicant submits that the preliminary amendment previously inadvertently submitted inserted a typographical error relating to the position of the square bracket in the structure. It is submitted that a person of skill in the art would readily identify the error, and would understand the proper positioning of the bracket. Applicant submits that no new matter is added by this amendment.

Applicant submits that the presently amended claims should be deemed proper and eligible for rejoinder of the method claims. Furthermore, the claims exhibit explicit unity of invention. Specifically, all the methods claims are now explicitly co-extensive with the allowed composition claim claim 31, thus providing a unifying element to the claims.

It is respectfully submitted that the above-identified application is now in condition for favourable consideration of all the claims, and prompt allowance of these claims is respectfully requested. Should the Examiner believe that anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted

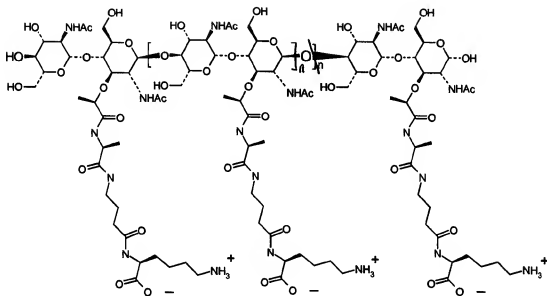
/David W. Maher/  
David W. Maher  
Reg. No. 40077  
858-228-7829

## APPENDIX

### Amendments to the specification

Please replace the paragraph beginning at page 5, line 5 within the following amended paragraph:

Accordingly, in one aspect, the present invention provides a synthetic polymeric antigen having the structure shown in Formula I:



wherein n is an integral in the range of from about 375 to about 75,  
or a pharmaceutically acceptable salt thereof.

Please replace the paragraph beginning at page 12, line 2 within the following amended paragraph:

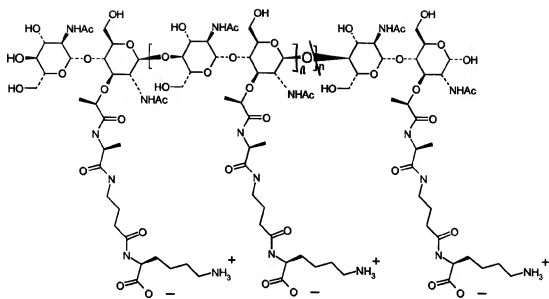
The structures of CP1, synthetic PG (Compound **15**), and a generalized synthetic polymeric antigen (SPA) are shown below:



### Synthetic Peptidoglycan



31. (original) A synthetic polymeric antigen having the structure shown in Formula I:



I

where n is an integral in the range of from about 375 to about 75,  
or a pharmaceutically acceptable salt thereof.